The outstanding Office Action appears to be relying on <u>Satoh et al.</u> to disclose a majority of the features in the independent claims 1 and 6, including inherently, note code tables. The outstanding Office Action also appears to be utilizing <u>Tanimoto</u> to disclose "note code tables that correspond to the input data...wherein input data and note codes also correspond to musical staff notation," as recited on page 3 of the outstanding Office Action

In setting forth the motivation for the combination of <u>Satoh et al.</u> and <u>Tanimoto</u>, the outstanding Office Action recites that "[i]t would have been obvious...to utilize the teachings of Tanimoto with the apparatus of Satoh et al., because Tanimoto provides a clear correlation of input data with stored table data including note codes to produce output data, wherein Satoh et al. provide correlation of input data with output data, only failing to show a clear correlation with note codes."

Applicant respectfully disagrees that it would have been obvious to modify <u>Satoh et al.</u>, in view of <u>Tanimoto</u>. Specifically, <u>Satoh et al.</u> does not disclose, or infer, <u>any</u> note code tables. Further, it would not have been obvious to modify <u>Satoh et al.</u> to incorporate the note code tables of <u>Tanimoto</u>, as <u>Satoh et al.</u> has **no** need to have a note code table nor evidence a "clear correlation of input data with stored table data," as recited in the outstanding Office Action.

Thus, in view of the following remarks, it is respectfully submitted that it would not have been obvious to modify <u>Satoh et al.</u>, as indicated in the outstanding Office Action, in view of <u>Tanimoto</u>. Further, it is respectfully submitted that there would not have been motivation to modify <u>Satoh et al.</u>, as indicated in the outstanding Office Action.

<u>Satoh et al.</u> sets forth a musical score forming apparatus having a piano keyboard for entering notes and a function keyboard for entering words or numbers. The words are positioned above each line of the score to correspond to the applicable note combinations, and the numbers are utilized to determine a note's duration. Based on a note entered in the piano keyboard, and it's duration entered on the function keyboard, a corresponding note is placed on a staff in a musical score. See col. 5, line 37, through col. 6, line 24. A CPU also determines inter-note distances before the notes are placed on the staff.

<u>Satoh et al.</u> also allows a user to enter word data, which is placed above a corresponding note in a staff, with a CPU receiving the inputted word and determining its proper placement. See col. 9, lines 8-25, and col. 10, line 27, through col. 11, line 36. As illustrated in FIG. 17, characters of the entered words, which may be entered as Roman characters, can be easily converted to Japanese characters.

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Satoh et al. does not use any tables for note determination. The outstanding Office Action points to Satoh et al. in col. 9, lines 9-25, to illustrate the inherency of the note code tables in Satoh et al.

Conversely, as noted above, the corresponding portion of Satoh et al. is unrelated to a note determination. The table referenced in col. 9 of Satoh et al. corresponds to a Roman character to Japanese character conversion for words entered. However, the words entered in Satoh et al. are unrelated to the note determination, these words are merely to be displayed above a staff, i.e., they are lyrics of a corresponding song.

Thus, Satoh et al. does not inherently utilize a note table for note determination.

In addition, it would not have been obvious to modify Satoh et al. to utilize the note tables of Tanimoto.

Tanimoto sets forth a simple compact electronic instrument where a user can enter notes by entering a number on a keypad. A conversion table is utilized to convert an inputted key to a code to be entered into a register for determination of a pitch of a corresponding note.

In Satoh et al., a note is entered through a piano keyboard, without the need for any tables. The outstanding Office Action fails to provide any suggestion or motivation why one or ordinary skill would have modified Satoh et al. to now not use a piano keyboard, but utilize the keypad of Tanimoto. The outstanding Office Action merely recites that it would have been obvious for such a modification "because Tanimoto provides a clear correlation of input data with stored table data including note codes to produce output data, wherein Satoh et al. provide correlation of input data with output data, only failing to show a clear correlation with note codes." But, as noted above, Satoh et al. does not utilize any tables for a note determination. The portion of Satoh et al. that the Office Action has pointed to, col. 9, for showing the inherentness of a note code table in Satoh, is unrelated to note determination, but rather to converting entered song lyrics from Roman characters to Japanese, or Japanese to Roman.

Thus, there is no need or suggestion to modify Satoh et al. to utilize the note code tables of Tanimoto. That being the case, it would not have been obvious to combine the note code tables of Tanimoto with Satoh et al., as suggested in the outstanding Office Action.

Therefore, in view of at least the above, it is respectfully requested that this rejection of claims 1-7 be withdrawn and claims 1-7 allowed.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.
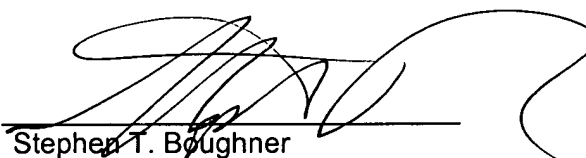
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12/13/01

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